

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313 on the date shown below.

Dated: 8/28/03

Signature: *Anna P. Lucey*
(Anna P. Lucey)

164/1
Docket No.: BSWV-P01-002
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Clancy et al.

Application No.: 10/018127

Group Art Unit: 1641

Filed: May 13, 2002

Examiner: Cook, Lisa V.

For: METHOD OF DETERMINING POTENTIAL
SUSCEPTIBILITY TO DEVELOPMENT OF
ALTE AND/OR SIDS

RECEIVED

SEP 04 2003

INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

TECH CENTER 1600/2900

Pursuant to 37 CFR 1.56, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned.

A copy of each reference on PTO/SB/08 is attached.

While the information and references disclosed in this Information Disclosure Statement may be "material" pursuant to 37 CFR 1.56, it is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents should one or more of the documents be applied against the claims of the present application.

The Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 18-1945, under Order No. BSWV-P01-002.

Dated:

8/28/03

Respectfully submitted,

By

Matthew P. Vincent

Registration No.: 36,709

ROPES & GRAY LLP

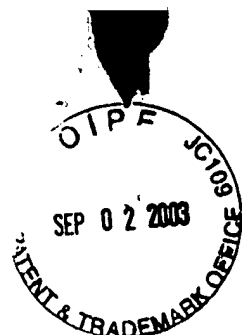
One International Place

Boston, Massachusetts 02110-2624

(617) 951-7000

(617) 951-7050 (Fax)

Attorneys/Agents For Applicant



PTO/SB/08A (10-01)

Approved for use through 10/31/2002.OMB 0651-0031

U. S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if Known	
				Application Number	10/018127
				Filing Date	May 13, 2002
				First Named Inventor	Robert L. Clancy
				Art Unit	1641
				Examiner Name	Cook, Lisa V.
Sheet	1	of	2	Attorney Docket Number	BSWV-P01-002

RECEIVED

SEP 04 2003

TECH CENTER 1600/2900

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	AA	5,556,759	09-17-1996	Beach	
	AB	5,747,266	05-05-1998	Beach	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant

¹ Applicant's unique citation designation number (optional). ² See attached Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the application number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under ⁶ WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS				
Examiner Initials ¹	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, page(s), volume-issue number(s), publisher, city and/or country where published.		T ²
	AC	Baxendine, J.A. and Moore, I.E. Pulmonary Eosinophilia in Sudden Infant Death Syndrome. J. Pathol. 177, 415-421 (1995).		
	AD	Brooks, J.G. Apparent Life-Threatening Events and Apnea of Infancy. Clinics in Perinatology 19(4), 809-838 (Dec. 1992).		
	AE	Forsyth, K.D. et al. Lung immunoglobulins in the sudden infant death syndrome. BMJ 298, 23-26 (7 Jan. 1989).		
	AF	Gleeson, M. et al. The Variability of Immunoglobulins and Albumin in Salivary Secretions of Children. Scand. J. Immunol. 33, 533-541 (1991).		
	AG	Gleeson, M. et al. Mucosal Immune Response in a Case of Sudden Infant Death Syndrome. Ped. Res. 33(6), 554-556 (1993).		
	AH	Shannon, D.C. Prospective Identification of the Risk of SIDS. Clinics in Perinatology 19(4), 861-869 (Dec. 1992).		
	AI	Strober, W. and James, S.P. "The Mucosal Immune System" in Basic and Clinical Immunology, 7th ed. D.P. Stites and A.I. Terr, eds. Appleton & Lange, Pub (1991), Chapter 15, pp. 175-186.		
	AJ	Stolenberg, L. et al. Changes in the concentration and distribution of immunoglobulin-producing cells in SIDS palatine tonsils. Pediatr. Allergy Immunol. 6, 48-55 (1995).		

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--



PTO/SB/08A (10-01)
Approved for use through 10/31/2002. OMB 0651-0031
U. S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if Known	
				Application Number	10/018127
				Filing Date	May 13, 2002
				First Named Inventor	Robert L. Clancy
				Art Unit	1641
				Examiner Name	Cook, Lisa V.
Sheet	2	of	2	Attorney Docket Number	BSWV-P01-002

RECEIVED

SEP 04 2003

TECH CENTER 1600/2900

	AK	Stoltenburg, L. et al. Sudden Infant Death Syndrome Victims Show Local Immunoglobulin M Response in Tracheal Wall and Immunoglobulin A Response in Duodenal Mucosa. Ped. Res. 31, 372-375 (1992).	
	AL	Thrane, P.S. et al. Increased immune response in upper respiratory and digestive tracts in SIDS. The Lancet 335, 229-230 (27 Jan. 1990).	
	AM	Urquhart, G.E.D. et al. Sudden unexplained death in infancy and hyperimmunization. J. Clin. Path. 24, 736-739 (1971).	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--